



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB5780

Introduced 04/05/06, by Rep. Barbara Flynn Currie

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1705/18.4

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that, in State fiscal year 2008, the first \$98,000,000 paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health services providers, and any interest earned on that amount, shall be deposited into the Community Mental Health Medicaid Trust Fund, and amounts received in excess of \$98,000,000 shall be deposited 50% into the General Revenue Fund and 50% into the Community Mental Health Medicaid Trust Fund. Provides that, in State fiscal year 2009 and subsequent fiscal years, the first \$98,000,000 paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health services providers, and any interest earned on that amount, shall be deposited into the Community Mental Health Medicaid Trust Fund, and amounts received in excess of \$98,000,000 shall be deposited 25% into the General Revenue Fund and 75% into the Community Mental Health Medicaid Trust Fund.

LRB094 20125 WGH 57844 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Mental Health and Developmental  
5 Disabilities Administrative Act is amended by changing Section  
6 18.4 as follows:

7 (20 ILCS 1705/18.4)

8 Sec. 18.4. Community Mental Health Medicaid Trust Fund;  
9 reimbursement.

10 (a) The Community Mental Health Medicaid Trust Fund is  
11 hereby created in the State Treasury.

12 (b) Except as otherwise provided in this Section, effective  
13 in the first fiscal year following repayment of interfund  
14 transfers under subsection (b-1), the first \$73,000,000 paid to  
15 the State by the federal government under Title XIX or Title  
16 XXI of the Social Security Act for services delivered by  
17 community mental health services providers, and any interest  
18 earned thereon, shall be deposited directly into the Community  
19 Mental Health Medicaid Trust Fund. The next \$25,000,000 shall  
20 be deposited into the General Revenue Fund. Amounts received in  
21 excess of \$98,000,000 in any State fiscal year after fiscal  
22 year 2006 shall be deposited 50% into the General Revenue Fund  
23 and 50% into the Community Mental Health Medicaid Trust Fund.  
24 The Department shall analyze the budgeting and programmatic  
25 impact of this funding allocation and report to the Governor  
26 and the General Assembly the results of this analysis and any  
27 recommendations for change, no later than December 31, 2005.

28 This subsection (b) does not apply to fiscal year 2008 and  
29 subsequent fiscal years.

30 (b-1) For State fiscal year 2005, the first \$73,000,000 in  
31 any funds paid to the State by the federal government under  
32 Title XIX or Title XXI of the Social Security Act for services

1 delivered by community mental health services providers, and  
2 any interest earned thereon, shall be deposited directly into  
3 the Community Mental Health Trust Fund before any deposits are  
4 made into the General Revenue Fund. The next \$25,000,000, less  
5 any deposits made prior to the effective date of this  
6 amendatory Act of the 94th General Assembly, shall be deposited  
7 into the General Revenue Fund. Amounts received in excess of  
8 \$98,000,000 shall be deposited 50% into the General Revenue  
9 Fund and 50% into the Community Mental Health Medicaid Trust  
10 Fund. At the direction of the Director of Public Aid, on April  
11 1, 2005, or as soon thereafter as practical, the Comptroller  
12 shall direct and the State Treasurer shall transfer amounts not  
13 to exceed \$14,000,000 into the Community Mental Health Medicaid  
14 Fund from the Public Aid Recoveries Trust Fund.

15 This subsection (b-1) does not apply to fiscal year 2008  
16 and subsequent fiscal years.

17 (b-2) For State fiscal year 2006, and in subsequent fiscal  
18 years until any transfers under subsection (b-1) are repaid,  
19 the first \$73,000,000 in any funds paid to the State by the  
20 federal government under Title XIX or Title XXI of the Social  
21 Security Act for services delivered by community mental health  
22 services providers, and any interest earned thereon, shall be  
23 deposited directly into the Community Mental Health Trust Fund.  
24 Then the next \$14,000,000, or such amount as was transferred  
25 under subsection (b-1) at the direction of the Director of  
26 Public Aid, shall be deposited into the Public Aid Recoveries  
27 Trust Fund. The next \$11,000,000 shall be deposited into the  
28 General Revenue Fund. Any additional amounts received shall be  
29 deposited 50% into the General Revenue Fund and 50% into the  
30 Community Mental Health Medicaid Trust Fund.

31 This subsection (b-2) does not apply to fiscal year 2008  
32 and subsequent fiscal years.

33 (b-3) For State fiscal year 2008, the first \$98,000,000  
34 paid to the State by the federal government under Title XIX or  
35 Title XXI of the Social Security Act for services delivered by  
36 community mental health services providers, and any interest

1 earned thereon, shall be deposited directly into the Community  
2 Mental Health Medicaid Trust Fund. Amounts received in excess  
3 of \$98,000,000 shall be deposited 50% into the General Revenue  
4 Fund and 50% into the Community Mental Health Medicaid Trust  
5 Fund.

6 (b-4) For State fiscal year 2009 and subsequent fiscal  
7 years, the first \$98,000,000 paid to the State by the federal  
8 government under Title XIX or Title XXI of the Social Security  
9 Act for services delivered by community mental health services  
10 providers, and any interest earned thereon, shall be deposited  
11 directly into the Community Mental Health Medicaid Trust Fund.  
12 Amounts received in excess of \$98,000,000 shall be deposited  
13 25% into the General Revenue Fund and 75% into the Community  
14 Mental Health Medicaid Trust Fund.

15 (c) The Department shall reimburse community mental health  
16 services providers for Medicaid-reimbursed mental health  
17 services provided to eligible individuals. Moneys in the  
18 Community Mental Health Medicaid Trust Fund may be used for  
19 that purpose.

20 (d) As used in this Section:

21 "Medicaid-reimbursed mental health services" means  
22 services provided by a community mental health provider under  
23 an agreement with the Department that is eligible for  
24 reimbursement under the federal Title XIX program or Title XXI  
25 program.

26 "Provider" means a community agency that is funded by the  
27 Department to provide a Medicaid-reimbursed service.

28 "Services" means mental health services provided under one  
29 of the following programs:

- 30 (1) Medicaid Clinic Option;
- 31 (2) Medicaid Rehabilitation Option;
- 32 (3) Targeted Case Management.

33 (Source: P.A. 93-841, eff. 7-30-04; 94-58, eff. 6-17-05.)